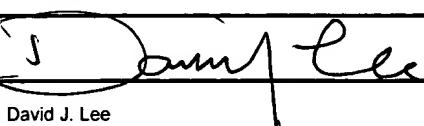
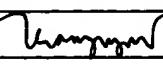


 <small>to be used for all correspondence after initial filing)</small>		Application Number	90/005,892 09773,303
		Filing Date	December 20, 2000
		First Named Inventor	Proctor, Larry M.
		Art Unit	1638
		Examiner Name	McElwain, Elizabeth F.
Total Number of Pages in This Submission		Attorney Docket Number	396168

ENCLOSURES (check all that apply)			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Request for Continued Examination for Reissue 09/773,303 Certificate of Mailing by Express Mail; Return Postcard	
		<b>Remarks</b>	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Lathrop & Gage L.C.		
Signature			
Printed Name	David J. Lee		
Date	October 14, 2005	Reg. No.	41.935

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail Post Office to Addressee, Label No. EV196803640 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	MiMi Nguyen	Date	October 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

10/14/05

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL for FY 2005

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 395)

Complete If Known	
Application Number	09/773,303
Filing Date	January 31, 2001
First Named Inventor	Proctor, Larry M.
Examiner Name	McElwain, Elizabeth F.
Art Unit	1638
Attorney Docket No.	414634

RCE

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify) : \_\_\_\_\_

Deposit Account Deposit Account Number: 12-0600 Deposit Account Name: Lathrop & Gage L.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s)	<input checked="" type="checkbox"/> Credit any overpayments

Under 37 CFR 1.16 and 1.17

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<b>Application Type</b>	<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		
	<b>Small Entity</b>	<b>Fee (\$)</b>	<b>Small Entity</b>	<b>Fee (\$)</b>	<b>Small Entity</b>	<b>Fee (\$)</b>	<b>Fees Paid (\$)</b>
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

### 2. EXCESS CLAIM FEES

#### Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 30 (including Reissues)

Multiple dependent claims

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Small Entity</b>	
				<b>Fee (\$)</b>	<b>Fee (\$)</b>
_____	-20 or HP=	X	=	_____	_____
HP = highest number of total claims paid for, if greater than 20.					
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>	
_____	- 3 or HP=	X	=	_____	_____
HP = highest number of independent claims paid for, if greater than 3.					

RECEIVED

OIPE/IAP

NOV 10 2005

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

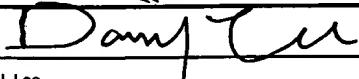
<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____	- 100 =	/ 50 =	(round up to a whole number) X	=

### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : RCE \$395

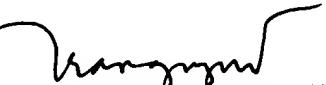
#### SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	41,935
Name (Print/Type)	David J. Lee	Telephone	720 931 3021
		Date	October 14, 2005

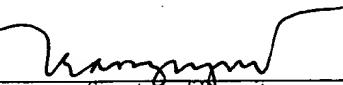
This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Matter No.
Applicant(s): Larry M. Proctor			396168
Serial No. <u>90/005,892</u> <u>09773307</u>	Filing Date December 20, 2000	Examiner McElwain, Elizabeth F.	Group Art Unit 1638
Invention <b>FIELD BEAN CULTIVAR NAMED ENOLA</b>			
I hereby certify that this:			
<ol style="list-style-type: none"> <li>1. Transmittal Form (1 page)</li> <li>2. Copy of Request for Continued Examination for Reissue 09/773,303 (130 pages)</li> <li>3. Return Postcard</li> </ol> <p>are being mailed in an envelope addressed to: Mail Stop Ex Parte Reexam, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 14th day of October 2005.</p>			
<u>MiMi Nguyen</u> <small>Name of Depositor</small>			
 <small>Signature of Depositor</small>			
<u>EV196803640US</u> <small>Express Mail Label No.</small>			



CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Matter No.
Applicant(s): Larry M. Proctor			414634
Serial No. 09/773,303	Filing Date January 31, 2001	Examiner McElwain, Elizabeth F.	Group Art Unit 1638
Invention <b>FIELD BEAN CULTIVAR NAMED ENOLA</b>			
I hereby certify that this:			
<ol style="list-style-type: none"><li>1. Request for Continued Examination (RCE) Transmittal (1 page)</li><li>2. Amendment - Response to Office Action mailed April 14, 2005 (25 pages)</li><li>3. Appendix A (10 pages &amp; cover page)</li><li>4. Declaration of Larry M. Proctor, including attachments (5 pages)</li><li>5. Declaration of Polly Proctor, including attachments (85 pages)</li><li>6. Fee Transmittal For FY 2005 (1 page in duplicate)</li><li>7. Petition For Extension of Time Under 37 CFR 1.136(a) (1 page in duplicate)</li><li>8. Return Postcard</li></ol>			
are being mailed in an envelope addressed to: Mail Stop REISSUE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 14th day of October 2005.			
<p style="text-align: center;">MiMi Nguyen _____ Name of Depositor</p>			
 _____ Signature of Depositor			
<p style="text-align: center;">EV196803636US _____ Express Mail Label No.</p>			